

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TENNESSEE AT CHATTANOOGA

BWS PROPERTIES, LLC, :
: :
: NO. 1:24-CV-29-KAC-CHS
Plaintiff, :
: JUDGE KATHERINE A.
-vs- : CRYTZER
: :
AIRGAS USA, LLC, : MAGISTRATE JUDGE
: CHRISTOPHER H. STEGER
: :
Defendant. : JURY DEMAND

THE DEPOSITION OF
PETER VAN SLYKE, JR.
April 8, 2025

Whitney A. Vaughn, TN LCR# 418
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1 a lot. I remember that.

2 Q **And when you say people that are long**
3 **gone, does that mean individuals no longer employed**
4 **with Airgas?**

5 A Correct.

6 Q **Do you recall what date -- day you**
7 **gave the keys to the owner?**

8 A I remember it was a nice day. The sun
9 was out. It was kind of -- wasn't real hot, I don't
10 think. I think you can see from the pictures it was
11 a beautiful day. No, I do not remember a specific
12 day.

13 Q **Did you participate in a walkthrough**
14 **of the property with the owner --**

15 A Yes.

16 Q **-- once -- let me just finish real**
17 **quick. I do the same thing.**

18 **Once Airgas believed their move-out**
19 **was complete, gone to Access Road, did you do a**
20 **walkthrough of the property with the owner?**

21 A Yes. That was the same time I turned
22 in the keys.

23 Q **Was there anyone else other than**
24 **yourself and the owner, Ms. Nevans, that did the**
25 **walkthrough of the property?**

1 BY MS. WOLINSKY:

2 Q If you can read through that, let me
3 know when you're done. Take your time.

4 A Okay.

5 Q Is this the text conversation you
6 referenced a moment ago about utilities?

7 A It looks like it is, yes.

8 Q Are you aware of whether the other
9 utilities to the property were still in Airgas's name
10 as of May 31st, 2023?

11 A I never heard anything about it, so I
12 assumed that they were not.

13 Q How were you made aware that the gas
14 had not been switched over to BWS?

15 A I believe Corley Johnson told me.

16 Q Tell me about --

17 A It was either Corley Johnson or Dawn
18 Van Dyke.

19 Q What do you recall about the
20 conversation that led you to have that understanding?

21 A Whichever person it was simply said
22 that somebody was -- one of our accounts payable
23 departments somewhere else was apparently still
24 getting a bill for the gas at the property. And it
25 seems like it was some -- another state, far-away

1 state. But somehow whoever that was made -- probably
2 made Dawn Van Dyke aware, and I think she told me
3 that it was still on.

4 **Q Did she give you any instructions on**
5 **how to get that switched off?**

6 A I don't remember any instructions.

7 **Q Do you recall, did Airgas or BWS**
8 **coordinate with the gas company to get it switched**
9 **over?**

10 A As I recall, we did at first. And
11 then there was a snafu with the meeting. And then
12 maybe Ms. Nevans took over after that.

13 **Q Do you recall the snafu as you**
14 **referred?**

15 A As I recall, the gas company was
16 supposed to be there at a certain time and they did
17 not -- whenever that time was, they did not meet up
18 with Ms. Nevans.

19 **Q Did you have conversations with anyone**
20 **at Airgas about scheduling a walkthrough of the**
21 **property after May 31st, 2023?**

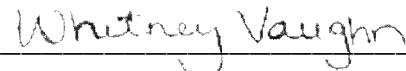
22 A Not for myself, no.

23 **Q For someone else?**

24 A Tracy -- Tracy Harvey and a guy named
25 Kevin Cruz -- I was not there, but they -- or I was

1 REPORTER'S CERTIFICATE
23 STATE OF TENNESSEE :
45 COUNTY OF HAMILTON :
67 I, Whitney A. Vaughn, Court Reporter and
8 Notary Public, do hereby certify that the foregoing
9 deposition was stenographically recorded by me as
10 stated in the caption. PETER VAN SLYKE, JR., was duly
11 sworn by me; that pages 1 to 165, inclusive, were
12 reduced to typewriting under my direction and
13 supervision, and the deposition is a true and correct
14 record, to the best of my ability, of the
15 testimony/evidence given by the deponent.16 I further certify that I am not a relative or
17 employee or attorney or counsel of any of the parties,
18 nor am I a relative or employee of such attorney or
19 counsel, nor am I financially interested in the
action. All rates charged are usual and customary.

20 This is the 24th day of April, 2025.

21 
2223 Whitney Vaughn, TN LCR #418
24 Court Reporter and Notary Public
25 My Commission Expires 12/23/28